

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

NOS-112

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/566,219

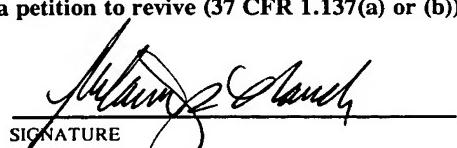
INTERNATIONAL APPLICATION NO. PCT/EP2004/006252	INTERNATIONAL FILING DATE 09 June 2004	PRIORITY DATE CLAIMED 29 July 2003
<b>TITLE OF INVENTION</b> METHOD FOR PRODUCING HARDENED PARTS FROM SHEET STEEL		
<b>APPLICANT(S) FOR DO/EO/US</b> Werner BRANDSTÄTTER et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND OR SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). (verified)</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). (verified)</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (10 pages, executed, attached to a copy of the International Application)</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11. to 16. below concern other document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification. (attached to a red-ink marked-up version of the English language translation)</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information:           <ul style="list-style-type: none"> <li>- Copy of Notification of Missing Requirements Under 35 U.S.C. 371</li> <li>- Certificate of Mailing by Express Mail (2 pages)</li> <li>- Return Receipt Postcard</li> </ul> </p>		

I/ csh

EXPRESS MAIL NO.: EV903038455US

MAILED: 14 September 2006

CUSTOMER NO.: 42419

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/566,219	INTERNATIONAL APPLICATION NO. PCT/EP2004/006252	ATTORNEY'S DOCKET NUMBER NOS-112		
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>		<b>CALCULATIONS</b> PTO USE ONLY		
Basic National Filing Fee ..... \$ 300.00 National Stage Search Fee ..... \$ 500.00 National Stage Examination Fee ..... \$ 200.00				
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$ 0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims			X \$50.00	
Independent claims			X \$200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00		
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$ 130.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		+ 130.00		
<b>SUBTOTAL =</b>		\$ 130.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ 130.00		
<b>TOTAL NATIONAL FEE =</b>		\$ 130.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ 130.00		
<b>TOTAL FEES ENCLOSED =</b>		\$ 130.00		
		Amount to be: refunded	\$	
		charged	\$	
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$130.00</u> to cover the above fee is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-3550</u> . A duplicate copy of this sheet is enclosed.				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
 <b>SIGNATURE</b> Melanie I. Rauch				
<b>NAME</b> 40,924				
<b>REGISTRATION NUMBER</b>				

Form PTO-1390 (REV 10-95) page 2 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Werner BRANDSTÄTTER  
Josef FADERL  
Martin FLEISCHANDERL  
Siegfried KOLNBERGER  
Gerald LANDL  
Anna Elisabeth RAAB  
Robert VEHOF  
Wolfgang STALL

Title: METHOD FOR PRODUCING HARDENED PARTS  
FROM SHEET STEEL

Serial No.: 10/566,219

Based Upon: PCT/EP2004/006252

Express Mail No.: EV903038455US

Date of Deposit: 14 September 2006

Customer No.: 42419

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following requisites of the subject patent application are being deposited with the United States Postal Service as Express Mail Post Office to Addressee No. EV903038455US, on 14 September 2006, and is

Serial No.: 10/566,219

addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, together with the items listed below.

- Transmittal Letter (Form PTO-1390) (2 pages), in duplicate
- Executed German Language Declaration (10 pages), attached to a German language copy of the International Application
- A check in the amount of \$130.00 to cover the fees set forth in the Transmittal Letter
- Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- Return Receipt Postcard

Respectfully submitted,



Melanie J. Rauch  
Registration No. 40,924

Pauley Petersen & Erickson  
2800 West Higgins Road; Suite 365  
Hoffman Estates, Illinois 60195  
TEL (847) 490-1400  
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RECEIVED

JUL 24 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/566,219	MARTIN FLEISCHANDERL	NOS112

INTERNATIONAL APPLICATION NO.

PCT/EP04/06252

I.A. FILING DATE	PRIORITY DATE
06/09/2004	07/29/2003

42419  
 PAULEY PETERSEN & ERICKSON  
 2800 WEST HIGGINS ROAD  
 SUITE 365  
 HOFFMAN ESTATES, IL 60195

CONFIRMATION NO. 3718  
**371 FORMALITIES LETTER**



\*OC000000019661424\*

Date Mailed: 07/19/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/26/2006
- English Translation of the IA filed on 01/26/2006
- Copy of the International Search Report filed on 01/26/2006
- Copy of IPE Report filed on 01/26/2006
- Preliminary Amendments filed on 01/26/2006
- Information Disclosure Statements filed on 01/26/2006
- Request for Immediate Examination filed on 01/26/2006
- U.S. Basic National Fees filed on 01/26/2006
- Substitute Specification filed on 01/26/2006

*Response to  
missing require-  
ment*  
 DOCKETED  
 DATE 19 Sept. 06  
 ATTORNEY MR  
 ENTERED 06746

006746

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

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Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/566,219	PCT/EP04/06252	NOS112

FORM PCT/DO/EO/905 (371 Formalities Notice)